ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၆၆၇/၂၀၁၄ ၂၀၁၄ ခုနှစ်၊ ဇန်နဝါရီလ

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေ ပုဒ်မ ၁၃ပုဒ်မခွဲ(ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည် -

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူ၏အမည် MR. BYOUNG TAK HUR

(ခ) နိုင်ငံသား KOREAN

(ဂ) နေရပ်လိပ်စာ PANGYOWONMAEUL 1101-301,147,SEOPANGYO-RO BUNDANG-GU SEONGNAM-SI, GYEONGGI-DO, KOREA

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ LOTTE BEVERAGE HOLDINGS (SINGAPORE) PTE., LTD., 20 CECIL ST.,#14-01, EQUITY PLAZA, SINGAPORE

(င) ဖွဲ့စည်းရာအရပ် စင်ကာပူနိုင်ငံ

(စ) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား အရက်ပါဝင်ခြင်းမရှိသော အဖျော်ယမကာများနှင့် သောက်ရေသန့်များထုတ်လုပ်ခြင်းနှင့်ရောင်းချခြင်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေကွက်အမှတ်(၄၈/၁က)၊(၄၈/၂၄၉) (၅၀/၂၊၇၂/၂)။သန္ဓေပင်ကျေးရွာ၊မှော်ဘီမြို့နယ်၊ရန်ကုန်တိုင်းဒေသကြီးနှင့် မြေကွက် အမှတ် (H-၅၁၊၅၂၊၅၇၊၅၈၊၇၉၊၈၀)၊ချည်မျှင်လမ်းနှင့် စွယ်တော်လမ်းထောင့်၊ ပြည်ကြီးတံခွန် မြို့နယ် မန္တလေးတိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်း ပမာဏ အမေရိကန်ဒေါ်လာ ၅၆.၇၀ သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင်ခွင့်ပြုမိန့်ရရှိပြီး (၁)နှစ်အတွင်း

(ည) စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ၈၁.၀၀သန်း နှင့်ညီမျှသောကျပ်ငွေ

(ဋ) တည်ဆောက်မှုကာလ ၂နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၅၀နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် LOTTE MGS BEVERAGE (MYANMAR) CO., LTD.

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

Form (2)

Sr No. 938-Y
Dated 29.1.2014

THE REPUBLIC OF THE UNION OF MYANMAR
THE MYANMAR INVESTMENT COMMISSION
PERMIT

Permit No. 667 /2014 Date 29 January 2014

The Myanmar Investment Commission issues this Permit under section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. BYOUNG TAK HUR

(b) Citizenship KOREAN

(c) Address PANGYOWONMAEUL 1101-301,147,SEOPANGYO-RO BUNDANG-GU SEONGNAM-SI, GYEONGGI-DO, KOREA

(d) Name and Address of principal organization LOTTE BEVERAGE HOLDINGS (SINGAPORE)PTE., LTD.,20 CECIL ST.,#14-01, EQUITY PLAZA, SINGAPORE

(e) Place of incorporation SINGAPORE

(f) Type of business in which investment is to be made PRODUCTION, BOTTLING, DISTRIBUTION AND SALES OF NON-ALCOHOLIC BEVERAGES AND PURIFIED DRINKING WATER

(g) Place(s) at which investment is permitted PLOT NO. (48/1A), (48/2,49), (50/2)(72/2) THANDAYBIN VILLAGE,HMAWBI TOWNSHIP, YANGON REGION AND H-51,52,57,58,79,80 ,CORNER OF CHI HMYIN ST. AND SWEL TAW ST. PYI GYI TAGUN TSP. MANDALAY REGION

(h) Amount of foreign capital US$ 56.70 MILLION

(i) Period for bringing in foreign capital WITHIN ONE YEAR FROM THE DATE OF ISSUANCE OF MIC PERMIT

(j) Total amount of capital (Kyat) EQUIVALENT IN KYAT OF US$ 81.00 MILLION

(k) Construction period 2 YEARS

(l) Permitted duration of investment 50 YEARS

(m) Form of investment JOINT VENTURE

(n) Name of Company incorporated in Myanmar LOTTE MGS BEVERAGE (MYANMAR) CO., LTD.

Win Shein

Chairman

The Myanmar Investment Commission

THE REPUBLIC OF THE UNION OF MYANMAR

MYANMAR INVESTMENT COMMISSION

Building No.(32), Nay Pyi Taw

Our ref : DICA-1/FI-904/2014(938-Y) Tel: 067- 406334,40607

Date : 29 January 2014 Fax: 95-67-40633

Subject: **Decision of the Myanmar Investment Commission on the Proposal for "Production, Bottling, Distribution and Sales of Non-alcoholic Beverages and Purified Drinking Water" under the name of "LOTTE MGS Beverage (Myanmar) Co., Ltd."**

Reference: LOTTE MGS Beverage (Myanmar) Co., Ltd. Letter dated (26.9.2013).

1. The Myanmar Investment Commission, at its meeting (3/2014) held on (24-1-2014) had approved the proposal for investment in "Production, Bottling, Distribution and Sales of Non-alcoholic Beverages and Purified Drinking Water" under the name of "LOTTE MGS Beverage (Myanmar) Co., Ltd." submitted as a joint venture between LOTTE Beverage Holdings (Singapore) Pte. Ltd. (70 %) from Singapore and MGS Beverage Company Limited (30 %) from the Republic of the Union of Myanmar.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law and Chapter VIII, Rule 49 of the Foreign Investment Rules relating to the said Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 50 (Fifty) years commencing from the date of signing of the Lease Agreement for land and building by mutual agreement between MGS Beverage Co., Ltd., U Thein Tun, U Oo Oo Tun, Daw Mar Mar Tun and LOTTE MGS Beverage (Myanmar) Co., Ltd.

4. MGS Beverage Company Limited shall be contributed as equity at the amount of US$ 17,008,134.20 (United States Dollar seventeen million, eight thousand one hundred and thirty-four and twenty cent only) for 50 years. The annual rent shall be calculated at the rate of US$ 5.50 per square meter per year of the land and US$ 8.62 per square meter per year of the building measuring 43,220.46 square meter (10.68 acres).

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per Chapter XII section 27(a),(h),(i) and (k) of Foreign Investment Law. Other exemptions and reliefs under section 27 shall have to be applied upon the actual performance of the project;

(a) As per section 27(a), income tax exemption for a period of five consecutive years including the year of commencement on commercial operation;

(b) As per section 27(h), exemption or relief from customs duty or other internal taxes or both on machinery, equipment, instruments, machinery components, spare parts and materials used in the business, which are imported as they are actually required for use during the period of construction of business;

(c) As per section 27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section 27(k), exemption or relief from commercial tax on the goods produced for export.

6. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall have to sign the Land and Building Lease Agreements with MGS Beverage Co., Ltd., U Thein Tun, U Oo Oo Tun, Daw Mar Mar Tun. LOTTE Beverage Holdings (Singapore) Pte. Ltd. shall have to sign the Joint Venture Agreement with

MGS Beverages Co., Ltd. After signing such Agreements, each of(5) copies shall have to be forwarded to the Commission.

7. LOTTE MGS Beverage (Myanmar) Co., Ltd. in consultation with the Department of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum and Articles of Association shall have to be forwarded to the Commission.

8. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

9. LOTTE MGS Beverage (Myanmar) Co., Ltd. has to abide by Chapter X, Rule 58 and 59 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 61 of the Foreign Investment Rules extension of construction period shall not be allowed more than one except it is due to unavoidable events such as natural disasters, instability, riots, strikes, emergency of State condition, insurgency and outbreak of wars.

11. As per Chapter X, Rule 63 of the Foreign Investment Rules, if LOTTE MGS Beverage (Myanmar) Co., Ltd. cannot construct completely in time during the construction period or extension period, the Commission will have to terminate the permit issued to the investor and there is no refund for the expenses of the project. 6

12. The commercial date of operation shall be reported to the Commission.

13. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall endeavour to meet the targets for production stated in the proposal as the minimum target.

14. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal in accordance with Chapter XI, section 24 and section 25 of Myanmar Foreign Investment

Law and LOTTE MGS Beverage (Myanmar) Co., Ltd. has to follow the existing Labour Laws for the recruitment of staff and labour in accordance with Chapter XIII, Rule 84 of the Foreign Investment Rules.

15. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter XV, section 37 of the Republic of the Union of Myanmar Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XVI, Rule 134 and 135 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Chapter I, section2(i) of the said Law, other than foreign currency.

16. LOTTE MGS Beverage (Myanmar) Co., Ltd. brings in foreign capital defined under Chapter I, section 2(i) of the said Law, other than foreign currency in the manner stated in paragraph 15(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

17. LOTTE MGS Beverage (Myanmar) Co., Ltd. has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XVI, Rule 136 and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by

submitting the sufficient document in accordance with Chapter XVII, Rule 145 of the Foreign Investment Rules.

18. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall report to the Commission for any alteration in the physical and financial plan of the project. Cost over run, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

19. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per instructions made by Ministry of Environmental Conservation and Forestry in which to conduct Initial Environmental Examination (IEE) process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted, and to perform activities in accordance with this EMP and to abide by the environmental policy, Environmental Conservation Law and other environmental related rules and procedures.

20. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall use 1% of the total net profit annually for effective Corporate Social Responsibility (CSR) activities in Myanmar.

21. After getting permit from Myanmar Investment Commission, LOTTE MGS Beverage (Myanmar) Co., Ltd. shall have to be registered at the Directorate of Industrial Supervision and Inspection.

22. LOTTE MGS Beverage (Myanmar) Co., Ltd. shall have to abide by the Fire Services Department's rules, regulations, directives and instructions. Moreover, fire prevention measures shall have to undertake such as water

storage tank, fire extinguishers and provide training to use the fire fighting equipments.

23. Payment of principal and interest of the loan (if any) as well as payment for import of raw materials and spare parts etc., shall only be made local sales of LOTTE MGS Beverage (Myanmar) Co., Ltd.

24. LOTTE MGS Beverage (Myanmar) Co., Ltd. in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rule 79 and 80 of the Foreign Investment Rules.

(Win Shein)
Chairman

LOTTE MGS Beverage (Myanmar) Co., Ltd.

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Office of the Yangon Region Government
3. Office of the Mandalay Region Government
4. Ministry of National Planning and Economic Development
5. Ministry of Finance
6. Ministry of Commerce
7. Ministry of Industry
8. Ministry of Foreign Affairs
9. Ministry of Home Affairs
10. Ministry of Immigration and Population
11. Ministry of Labour, Employment and Social Security
12. Ministry of Environmental Conservation and Forestry
13. Ministry of Electric Power
14. Director General, Directorate of Investment and Company Administration
15. Director General, Directorate of Human Settlement and Housing Development
16. Director General, Directorate of Industrial Supervision and Inspection

17. Director General, Customs Department
18. Director General, Internal Revenue Department
19. Managing Director, Myanma Foreign Trade Bank
20. Managing Director, Myanma Investment and Commercial Bank
21. Managing Director, Myanma Insurance
22. Managing Director, Myanma Electric Power Enterprise
23. Director General, Directorate of Trade
24. Director General, Immigration and National Registration Department
25. Director General, Directorate of Labour
26. Director General, Department of Environmental Conservation
27. Director General, Fire Services Department
28. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI)